

MESSAGE NO: 3258202 MESSAGE DATE: 09/15/2003

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-533-502

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 05/01/2002 TO 04/30/2003

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: LIQUIDATION FOR RESCINDED NEW SHIPPER REVIEW OF SURYA ROSHNI, LTD.(SURYA) OF WELDED CARBON STEEL PIPES AND TU BES FROM INDIA (A-533-502-007)

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CASES: A - 533 - 502

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PERIOD COVERED: 05 01 2002 TO 04 30 2003

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS

PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: LIQUIDATION FOR RESCINDED NEW SHIPPER REVIEW OF SURYA ROSHNI, LTD.(SURYA) OF WELDED CARBON STEEL PIPES AND TU BES FROM INDIA (A-533-502-007)

1. ON JULY 3, 2003, THE DEPARTMENT OF COMMERCE PUBLISHED IN THE FEDERAL REGISTER A NOTICE ANNOUNCING THE INITIATION OF A NEW SHIPPER REVIEW OF THE ANTIDUMPING DUTY ORDER ON WELDED CARBON STEEL PIPES AND TUBES FROM INDIA FOR SURYA ROSHNI, LTD.(SURYA), COVERING THE PERIOD MAY 1, 2002, THROUGH APRIL 30, 2003.(68 FR 39897).

2. WHEN IT INITIATED THIS NEW SHIPPER REVIEW, COMMERCE ASSIGNED SURYA ITS OWN CASE NUMBER IN THE AD/CVD MODULE, SPECIFICALLY, A-533-502-007 WITH A CASH DEPOSIT OR BONDING RATE OF 7.08 PERCENT, THE ALL OTHERS RATE. ON SEPTEMBER 9, 2003, COMMERCE RESCINDED THE NEW SHIPPER REVIEW FOR SURYA (68 FR 53136). FOR SHIPMENTS OF WELDED CARBON STEEL PIPES AND TUBES FROM INDIA EXPORTED OR PRODUCED BY SURYA AND ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER 9/9/2003, THE CASH DEPOSIT RATE FOR SURYA IS THE ALL OTHERS RATE OF 7.08 PERCENT. FURTHER, EFFECTIVE SEPTEMBER 9, 2003, IMPORTERS MAY NO LONGER POST A BOND OR OTHER SECURITY IN LIEU OF A CASH DEPOSIT ON IMPORTS OF WELDED CARBON STEEL PIPES AND TUBES FROM INDIA FOR SURYA.

3. IN ACCORDANCE WITH 19 CFR 351.212(c), FOR SHIPMENTS OF WELDED CARBON STEEL PIPES AND TUBES FROM INDIA PRODUCED OR EXPORTED BY SURYA AND ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION

DURING THE PERIOD MAY 1, 2002, THROUGH APRIL 30, 2003, YOU ARE TO ASSESS ANTIDUMPING DUTIES AT THE CASH DEPOSIT RATE REQUIRED AT THE TIME OF ENTRY.

4. THESE INSTRUCTIONS CONSTITUTE THE IMMEDIATE LIFTING OF SUSPENSION OF LIQUIDATION OF WELDED CARBON STEEL PIPES AND TUBES FROM INDIA PRODUCED OR EXPORTED BY SURYA AND ENTERED DURING THE PERIOD MAY 1, 2002, THROUGH APRIL 30, 2003.

5. THE ASSESSMENT OF ANTIDUMPING DUTIES BY THE UNITED STATES BUREAU OF CUSTOMS AND BORDER PROTECTION (BCBP) ON SHIPMENTS OR ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES THAT BCBP PAY INTEREST ON OVERPAYMENTS AND ASSESS INTEREST ON UNDERPAYMENTS OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED ANTIDUMPING DUTIES BEFORE THE DATE OF PUBLICATION OF THE ANTIDUMPING DUTY ORDER. INTEREST SHALL BE CALCULATED FROM THE DATE OF PAYMENT OF ESTIMATED ANTIDUMPING DUTIES THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER

SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

6. WHENEVER THE USE OF THE ABOVE INSTRUCTIONS RESULTS IN THE ASSESSMENT OF ANTIDUMPING DUTIES, YOU SHOULD REQUIRE OF THE IMPORTER PRIOR TO LIQUIDATION THE REIMBURSEMENT STATEMENT DESCRIBED IN 19 CFR 351.402(f)(2). IF THE IMPORTER HAS BEEN REIMBURSED ANTIDUMPING DUTIES, BCBP SHOULD DOUBLE THE ANTIDUMPING DUTIES IN ACCORDANCE WITH THE ABOVE-REFERENCED REGULATION. ADDITIONALLY, IF THE IMPORTER DOES NOT RESPOND TO YOUR FORMAL REQUEST (VIA CF 28 OR 29) FOR THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION, BCBP SHOULD PRESUME REIMBURSEMENT AND DOUBLE THE ANTIDUMPING DUTIES DUE.

7. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CUSTOMS OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI AT OFFICE OF AD/CVD ENFORCEMENT, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984.

8. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

CATHY SAUCEDA

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party